

assure that future mines operate in a manner that conserves the environment and our valuable natural resources, including fish and wildlife habitats.

H.R. 2262 addresses the financial needs of our Nation. By charging a royalty fee on existing and future mining operations, along with filing and maintenance fees, the Congressional Budget Office has determined this legislation would reduce our country's deficit, which has spiraled out of control under the current administration.

Mr. Chairman, I urge my colleagues today to update the 1872 Mining Law for the 21st century and vote for this important legislation.

Mr. STARK. Mr. Chairman, I rise today in support of reforming one of the most antiquated laws still on the books. The General Mining Law of 1872 has remained essentially unchanged since Ulysses S. Grant was President. Originally intended to spur westward expansion, the law has become an environmental and fiscal train wreck. Today we have a chance to reform this relic by passing the Hardrock Mining and Reclamation Act of 2007 (H.R. 2262).

Back in 1872 individual miners used hand tools to look for gold and silver; now multinational corporations blast the tops off of mountains and produce chemicals such as cyanide, arsenic, and mercury that leach into streams and groundwater long after mining operations cease. Much has changed, but the law has not.

For 135 years, mining companies have been the beneficiaries of public largesse that would make even Haliburton blush: over \$245 billion worth of minerals have been removed from public lands virtually free of charge. Taxpayers have then been expected to foot the bill for the massive cleanup of abandoned mines to the tune of at least \$30 billion. Under the 1872 law, mining takes precedence over ever other concern—environmental protection, recreation, or safety. The mining industry, which is responsible for more Federal Superfund sites than any other industry, pays no royalties on extracted metals. In addition, through the "patent" process, companies can force the sale of public lands for as little as \$2.50 per acre. Patenting has resulted in the sale of over 3 million acres of public property at far below market value.

In my home State of California, a recent study found over 21,000 existing mining claims within 10 miles of national parks, monuments, and wilderness areas. The 285 claims within 10 miles of Yosemite threaten one of the Nation's most visited and spectacular parks.

The bill before us protects sensitive lands in California and throughout the West by creating environmental safeguards, transparency, and public participation. Some lands, such as wilderness study areas, would be completely off-limits. In other areas, new mines would be permitted only after a showing that they are not environmentally destructive. Local governments can also challenge new projects. The bill restores fiscal sanity by ending the practice of "patenting" and requiring that new mines pay an 8 percent royalty and existing mines pay 4 percent, both reasonable rates and well below what the coal and oil industries pay. These royalties are then put into a fund to pay for the cleanup of old mines.

It is time to fix a law that deserves to disappear into the dustbin of history. I urge all of my colleagues to vote for reform.

Mr. KIND. Mr. Chairman, I rise today in strong support of H.R. 2262 because it will finally compensate American taxpayers for the minerals that are extracted from public federal lands and, at the same time, dedicate this revenue to restoring wildlife habitat, drinking water supplies, and other natural resources that have been ruined by mining operations. Mr. Chairman, these changes are long overdue, and I commend Chairman RAHALL for bringing this bill to the floor today.

The importance of mining to the settlement and development of the West and to western economies today cannot be overstated. Therefore, this bill does not seek to destroy the U.S. mining industry, but to bring it out of the 19th century and into the 21st. The Hardrock Mining and Reclamation Act at long last will force U.S. law to recognize that our public lands belong to all U.S. citizens, and any activities or industries that utilize those lands must do so for the benefit of all Americans. This bill will hold the mining industry responsible for the public minerals it extracts and for the environmental consequences of their operations.

For the past 135 years, the mining industry has had easy access to federal lands and was free to take what it wanted and then leave the lands in whatever condition they chose. The American taxpayer gave up their rights to these minerals and then took up the bill for cleaning up lands polluted with toxic chemicals. H.R. 2262 rightfully imposes a royalty fee on mining companies, similar to that paid by oil, coal, and natural gas companies who drill and mine on federal lands, which the Department of the Interior will use to fund environmental restoration and reclamation of abandoned mines. It is only fair that the mining industry pay to repair the damage it has done to natural resources, including drinking water supplies and prime habitat for wildlife and outdoor recreation.

This last point is very important to me. As an avid hunter and outdoorsman, it is critically important to me that we maintain our Nation's natural heritage for current and future generations. Federal lands harbor some of the most important fish and wildlife habitat and provide some of the finest hunting and angling opportunities in the country. For example, public lands contain more than 50 percent of the Nation's blue-ribbon trout streams and are strongholds for imperiled trout and salmon in the western United States. More than 80 percent of the most critical habitat for elk is found on lands managed by the Forest Service and the BLM, alone. Pronghorn antelope, sage grouse, mule deer, salmon and steelhead, and countless other fish and wildlife species are similarly dependent on public lands.

That is why sportsmen's organizations around the country support reform of the Mining Law of 1872. By passing this bill today, we will ensure the continued viability of wildlife habitat and the continued ability of hunters, anglers, and outdoor enthusiasts to pursue and pass on our sporting heritage.

Mr. Chairman, H.R. 2262 just makes good sense. By holding the mining industry accountable for its own actions and making it live up to certain basic environmental standards, this bill will protect the rights of all American citizens while ensuring that mining will continue in a balanced and responsible manner. I support H.R. 2262, and I urge my colleagues to vote for its passage today.

Mr. LEVIN. Mr. Chairman, I rise in strong support of H.R. 2262, the Hardrock Mining

and Reclamation Act. Reform of this 135-year-old law is long overdue, and I am proud to be a cosponsor of this needed legislation.

In 1872, President Ulysses S. Grant signed the General Mining Law. The intention of the law was to promote the settlement of the American West. Under the 1872 law, mining companies do not pay any royalties for the publicly-owned "hardrock" minerals mined on federal lands. Over the years, mining companies have been able to extract hundreds of billions of dollars in gold, silver, platinum, copper, and uranium without paying royalties.

It is time to overhaul this archaic law. Let me be clear that this bill does not affect privately-owned land, but rather federal lands that belong to all Americans. The American people deserve a fair return for the minerals extracted from the lands they own. By comparison, the coal, oil, and gas companies already pay royalties for their operations on federal lands. Why should hardrock mining be any different? Virtually every other nation that allows mining on public lands imposes some form of royalty.

Opponents of this bill claim that charging an 8 percent royalty on new hardrock mines and setting some basic environmental standards will devastate the domestic mining industry and send mining jobs overseas. I read in the paper this morning that the price of gold hit just hit a 27-year high of \$800 an ounce. Platinum is now selling for \$1,447 an ounce. The worldwide demand for copper is so high that thieves have taken to stealing phone lines in some areas so they can sell the copper at recycling yards. Yet, in the face of these facts, opponents of the bill implausibly argue that the mining industry in this country will collapse if we don't continue to give away publicly-owned minerals for free.

I urge all my colleagues to join me in voting to bring this 19th century mining law into the 21st century.

Mr. SHAYS. Mr. Chairman, I urge my colleagues to support H.R. 2262, the Hardrock Mining and Reclamation Act, which requires hardrock mining companies to pay the government royalties for their operations on federal land.

Currently, the General Mining Law of 1872 allows mining companies to stake claims on public lands without paying royalties to the government. Claimholders are able to purchase public lands where their mines are located for as little as \$2.50 an acre.

The bottom line is that there is no good reason that hardrock mining companies should be exempt from royalties for using land that belongs to all Americans. It is time we treat the hardrock mining industry just as we do coal, oil, and gas companies who operate on public lands.

For example, miners of coal on public lands pay 8 percent on underground deposits and 12.5 percent on surface deposits. Drillers of oil and natural gas pay 8 percent to 16.7 percent.

The Congressional Budget Office estimates that \$1 billion in hardrock minerals are extracted annually from federal lands. Under this bill, future mine operations would pay an 8 percent royalty and existing mines would pay a 4 percent royalty. It would also end the "patenting" practice, allows claimholders to purchase public lands where their mines are located for as little as \$2.50 an acre.

The Environmental Protection Agency, EPA, has identified hardrock mining as a leading source of toxic pollution in the United States.